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RWQCB-CVR
FRESNO, CALIF.

October 20, 2016

Scott Hatton
California Regional Water Quality Control Board
1685 E Street
Fresno, CA 93706

SUBJECT: Comments to Tentative Waste Discharge Requirements: W.M. Bolthouse Farms, Inc. Bakersfield Processing Facility, Kern County

Dear Mr. Hatton:

W.M. Bolthouse Farms Inc. (Bolthouse) has received the tentative Waste Discharge Requirements (WDRs), Dated September, 21, 2016, for the Bakersfield Processing Facility. The Notice to the tentative WDRs provides the opportunity for all concerned persons and agencies to comment on the tentative WDRs. Bolthouse has reviewed the tentative WDRs and is submitting comments to the Central Valley Regional Water Quality Control Board for consideration. Following is our list of comments:

C. Discharge Specifications

Specification 11, Page 22;

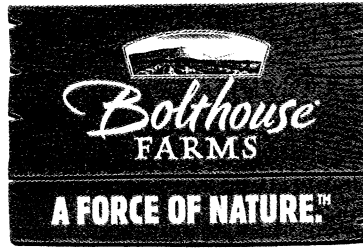
On or about 1 October of each year, available capacity shall at least equal the volume necessary to comply with Discharge Specifications C.9 and C.10.

Comment: Time is not appropriate for an assessment of available capacity and freeboard of the ponds. These ponds are for settling, not long term storage so a single point in time measurement is not necessary. This provision is not applicable and we request that it be removed.

G. Discharge Provisions

1. Provision 11, Page 27

The Discharger must comply with all conditions of this Order, including timely submittal of technical and monitoring reports. On or before each report due date, the Discharger shall submit the specified document to the Central Valley Water Board or, if appropriate, a written report detailing compliance or noncompliance with the specific schedule date and task. If noncompliance is being reported, then the Discharger shall state the reasons for such noncompliance and provide an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board in writing when it returns to compliance with the time schedule. Violations may result in enforcement action, including Central Valley Water Board or court orders requiring



corrective action or imposing civil monetary liability, or in revision or rescission of this Order.

Provision 6, Page 26

The Discharger must comply with all conditions of this Order, including timely submittal of technical and monitoring reports as directed by Executive Order. Accordingly, the Discharger shall submit to the Central Valley Water Board on or before each report due date the specified document or, if an action is specified, a written report detailing the evidence of compliance with the date and task. If noncompliance is being reported, the reasons for such noncompliance shall be stated, plus an estimate of the date when the Discharger will be in compliance. The Discharger shall notify the Central Valley Water Board by letter when it returns to compliance with the time schedule. Violations may result in enforcement action, including Central Valley Water Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.

Comment: Provision 11 on page 27 is very similar to Provision 6 on page 26. We request that one of the two provisions be removed.

2. Provision 17, Page 28

The Discharger shall use the best practicable cost-effective control technique(s) including proper operation and maintenance, to comply with this Order.

Provision 12, Page 27

The Discharger shall use the best practicable cost-effective control technique(s) including proper operation and maintenance, to comply with this Order.

Comment: Provision 17 on page 28 is the same as Provision 12 on page 27. We request that one of the two provisions be removed.

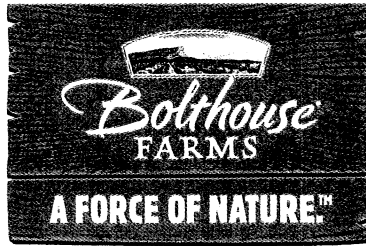
3. Provision 18, Page 28

As described in the Standard Provisions, the Discharger shall report promptly to the Central Valley Water Board any material change or proposed change in the character, location, or volume of the discharge.

Provision 13, Page 27

As described in the Standard Provisions, the Discharger shall report promptly to the Central Valley Water Board any material change or proposed change in the character, location, or volume of the discharge.

Comment: Provision 18 on page 28 is the same as Provision 13 on page 27. We request that one of the two provisions be removed.



4. Provision 20, Page 28

The discharger shall not allow pollutant-free wastewater to be discharged into the wastewater collection, treatment, and disposal systems in amounts that significantly diminish the system's capability to comply with this Order. Pollutant-free wastewater means rainfall, groundwater, cooling waters, and condensates that are essentially free of pollutants.

Comment: The Bolthouse process wastewater is a high strength wastewater which is irrigated to agricultural crops. Pollutant free wastewater is a benefit to our system. This provision is not applicable and we request that it be removed.

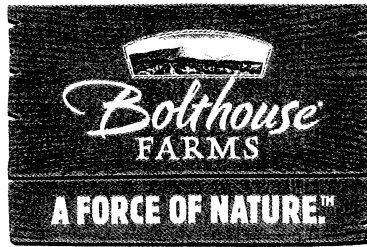
5. Provision 23, Page 29

To assume operation as Discharger under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement. The statement shall comply with the signatory paragraph of Standard Provision B.3 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the CWC. If approved by the Executive Officer, the transfer request will be submitted to the Central Valley Water Board for its consideration of transferring the ownership of this Order at one of its regularly scheduled meetings.

Provision 8, Pages 26 and 27

To assume operation as Discharger under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Central Valley Water Board, and a statement. The statement shall comply with the signatory paragraph of Standard Provision B.3 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the CWC. If approved by the Executive Officer, the transfer request will be submitted to the Central Valley Water Board for its consideration of transferring the ownership of this Order at one of its regularly scheduled meetings.

Comment: Provision 23 on page 29 is the same as Provision 8 on pages 26 and 27. We ask that one of the two provisions be removed.



Monitoring and Reporting Program

Soil Monitoring, Page 5

The Discharger shall establish, with the concurrence of Central Valley Water Board staff, representative soil profile monitoring locations within and outside of the land application areas and at least two representative background locations(s) (i.e., that historically have not received process wastewater). The Discharger shall submit a map to the Central Valley Water Board with the identified sample locations no fewer than 60 days prior to the first soil sampling event following adoption of the Order. The samples shall be collected and analyzed for the constituents and frequencies specified in the following table:

Comment: Background locations and locations outside the land application areas are the same. We ask that the words “and outside” be removed and the requirement be rewritten as follows:

The Discharger shall establish, with the concurrence of Central Valley Water Board staff, representative soil profile monitoring locations within of the land application areas and at least two representative background locations(s) (i.e., that historically have not received process wastewater). The Discharger shall submit a map to the Central Valley Water Board with the identified sample locations no fewer than 60 days prior to the first soil sampling event following adoption of the Order. The samples shall be collected and analyzed for the constituents and frequencies specified in the following table:

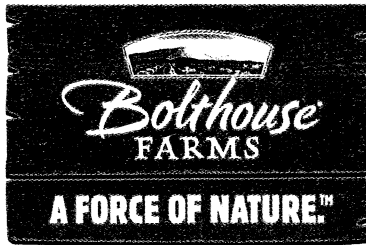
Comment: The buffer pH test method is for determining lime requirement of acid soils and is not applicable in soils with pH > 6.0. Also, the units of mg/kg as CaCO₃ are not applicable to the measure of pH. Annual monitoring of soil pH should be sufficient to manage soil pH trends that would indicate application of wastewater in excess of soil buffering capacity and be detrimental to soil fertility. We request that buffer pH be removed from the requirements.

Comment: Total Kjeldahl Nitrogen (TKN) analysis to 6 feet is not useful for land treatment monitoring. It is not a cost effective or necessary monitoring analysis.

- The variability of the TKN results because of sample variability and analytical sensitivity provides no useful monitoring information. It is only accurate to the nearest 50 to 100 ppm (200 to 400 lb/ac-ft)
- TKN in the soil is associated with organic matter. Organic matter in the soils farmed by Bolthouse Farms is low and decreases to undetectable levels below 1 to 2 feet

We request that the analysis for TKN be limited to the top 2 feet of soil. Nitrate monitoring to 6 feet is sufficient.

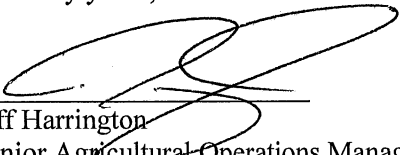
Comment: We ask that the analysis for “sodium” be changed to “exchangeable sodium” and that it be reported in units of meq/100g. The term “sodium” and units of “mg/kg”



implies analysis for total sodium which includes natural sodium bound in the molecular structure of soil minerals that is not available to plants or functional in soil reactions.

Thank you for providing us with the opportunity to review and comment on the tentative WDRs for the Bakersfield Processing Facility. We ask that you fully consider our comments prior to issuance of the Order. Please contact me at (661) 366-7209, ext.5998, if you have questions or need additional information.

Sincerely yours,



Jeff Harrington
Senior Agricultural Operations Manager
Wm. Bolthouse Farms, Inc.